

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4501-7-04

Rule Type: Amendment

Rule Title/Tagline: Application for and renewal of class "D" and online school licenses.

Agency Name: Department of Public Safety

Division:

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I. Rule Summary

1. **Is this a five year rule review?** Yes
 - A. **What is the rule's five year review date?** 2/4/2022
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 4508.02
5. **What statute(s) does the rule implement or amplify?** 4508.01, 4508.02, 4508.03, 4508.04, 4508.09

6. **What are the reasons for proposing the rule?**

This rule is being filed according to Section 106.03 ORC periodic rule review.

7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule deals with the application requirements for CDL, class D and online provider applications. Changes are made to incorporate CDL into the rule as the requirements are the same. The rule is reorganized slightly to define more items rather than creating regulatory restrictions.

8. **Does the rule incorporate material by reference? Yes**
9. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

The rule directs readers to rule 4501-7-39 that deals with all materials incorporated by reference for the chapter.

10. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

The rule is being revised filed to include the correct CSI recommendation.

II. Fiscal Analysis

11. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

0.00

Not applicable.

12. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

The estimated costs of compliance for stakeholders includes time and costs associated with traveling to Columbus, Ohio. The time and costs will vary for each attendee depending on travel time and mileage. There is no fee or cost to the orientation class.

13. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). Yes**

14. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

15. **If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

The Driver Training Program Office fees are directed to the highway fund. However, the fund allows for the office and field staff to provide services for compliance and

resources at no cost to the schools. This includes offering classes and continuing education courses for the instructors. The funding allows for the support for program reviews of schools to ensure they are providing the training required. The field staff also provide vehicle inspections for the vehicles to ensure safe operation while training students behind the wheel of vehicles. In addition, the funds provide for additional resources to be printed and provided to the schools to support curriculums.

III. Common Sense Initiative (CSI) Questions

16. Was this rule filed with the Common Sense Initiative Office? Yes

17. Does this rule have an adverse impact on business? Yes

A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes

Pursuant to sections 4508.03 and 4508.04 of the Revised Code, no person shall operate a driver training school or act as a driver training instructor unless licensed by the director of public safety.

B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? Yes

Sanctions up to and including denial of application or revocation of license may be imposed if applicants or licensees fail to meet the requirements set forth in this rule.

C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes

The estimated costs of compliance for stakeholders include only time and costs associated with traveling to Columbus, Ohio. The time and costs estimated will vary for each attendee depending on travel time and mileage . There is no fee or cost to the orientation class.

D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes

A. How many new regulatory restrictions do you propose adding? 0

B. How many existing regulatory restrictions do you propose removing? 22

Paragraph (E) -- Last sentence "the link shall give..."

Paragraph (F)(1)- "shall: (1)..."

Paragraph (F)(2)- shall: (2)..."

Paragraph (F)(3)- "shall: (3)..."

Paragraph (F)(4)- "shall: (4)..."

Paragraph (F)(5)- "shall: (5)..."

Paragraph (F)(6)(a)- "shall: (6)..."

Paragraph (F)(3)- "shall: (3) ..."

Paragraph (G)(1) - "shall: (1) ..."

Paragraph (G)(2)- "shall: (2)..."

Paragraph (G)(3)- "shall: (3)..."

Paragraph (G)(4)- "shall: (4)..."

Old Paragraph (G)(5)- "shall: (5)..."

Paragraph (G)(6)- "shall: (6)..."

Paragraph (G)(7)- "shall: (7)..."

Paragraph (G)(8)- "shall: (8)..."

Paragraph (L)(1) [old K]- "...shall: (1) ..."

Paragraph (L)(2) [old K]- "...shall: (2)"

Paragraph Old (L)(1) - "...shall: (1)"

Paragraph Old (L)(2) - "...shall: (2)"

Paragraph (P)- "...shall be..."

Paragraph (S) second sentence - ".... shall..."

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Part B - Local Governments Questions

1. Does the rule increase costs for:

A. Public School Districts	Yes
B. County Government	No
C. Township Government	No
D. City and Village Governments	No

2. Please estimate the total cost, in dollars, of compliance with the rule for the affected local government(s). If you cannot give a dollar cost, explain how the local government is financially impacted.

The estimated cost of compliance includes only time and costs associated with traveling to Columbus, Ohio. The time and costs estimated will vary for each attendee depending on travel time and mileage. There is no fee or cost to the orientation class.

3. Is this rule the result of a federal government requirement? No

A. If yes, does this rule do more than the federal government requires? *Not Applicable*

B. If yes, what are the costs, in dollars, to the local government for the regulation that exceeds the federal government requirement?

Not Applicable

4. Please provide an estimated cost of compliance for the proposed rule if it has an impact on the following:

A. Personnel Costs

Not applicable.

B. New Equipment or Other Capital Costs

Not applicable.

C. Operating Costs

Not applicable.

D. Any Indirect Central Service Costs

Not applicable.

E. Other Costs

Not applicable.

5. Please explain how the local government(s) will be able to pay for the increased costs associated with the rule.

There are no provisions or grants available to offset or pay for the costs imposed by the rule.

6. What will be the impact on economic development, if any, as the result of this rule?

There is no foreseen impact on economic development.